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**UTILITY  
PATENT APPLICATION  
TRANSMITTAL**

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. 35718/2420, (35718-158)

First Inventor or Application Identifier: Duvick et al.

Title of Invention: MAIZE PEROXIDASE GENES AND THEIR USE FOR IMPROVING PLANT DISEASE RESISTANCE AND STALK STRENGTH

Express Mail Label No. EL868637631US

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ADDRESS TO: **BOX PATENT APPLICATION  
U.S. PATENT AND TRADEMARK OFFICE  
P. O. BOX 2327  
ARLINGTON, VA 22202**

Transmitted herewith for filing in the United States Patent Office is a patent application for:

Inventors: Jon P. Duvick, Des Moines, IA  
 Joyce R. Maddox, Omaha, NE  
 Pedro A. Navarro Acevedo, Ames, IA  
 Carl R. Simmons, Des Moines, IA

Assignee of this invention is Pioneer Hi-Bred International, Inc.

1.  The Filing Fee has been calculated as shown below:
2.  Applicant claims Small Entity Status. See 37 CFR 1.27.

No. Filed	No. Extra	Small Entity Rate	Large Entity Rate
BASIC FEE		Fee 0	Fee 1
TOTAL CLAIMS: 43 - 20 = 23		X 9 = \$0	x 18 = \$414
INDEP CLAIMS: 10 - 3 = 7		X 42 = \$0	x 84 = \$588
[ <input type="checkbox"/> ] MULTIPLE DEPENDENT CLAIMS PRESENTED		+140 = \$	+280 = \$
*If the difference in Column 1 is less than zero, enter "0" in Column 2.		TOTAL \$	TOTAL \$ 1,742

The Commissioner is hereby authorized to credit overpayments or charge the following fees to Deposit Acct. No. 16-0605.

- a.  Fees required under 37 CFR 1.16 (National filing fees).
- b.  Fees required under 37 CFR 1.17 (National application processing fees).
- A check in the amount of \$ 1,742.00 for the filing fee is enclosed.
- The above filing fee will be paid along with Applicant(s) Response to the Notice to File Missing Parts.
3.  Specification; Total Pages 72
4.  4 Sheets of Drawing(s) (35 USC 113)
5.  Declaration and Power of Attorney; [Total Pages   ]
  - a.  Newly executed (original or copy)
  - b.  Copy from a prior application (37 CFR 1.63(d))  
*(for continuation/divisional with Box 18 completed)*
    - i.  DELETION OF INVENTOR(S) Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) & 1.33(b).
6.  Application Data Sheet. See 37 CFR 1.76

8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)

- a.  Computer Readable Copy (CRF)
- b.  Request for Transfer of Computer Readable Form of Sequence Listing under 37 CFR § 1.821(e) and MPEP 2422.05 (must be compliant with new rules)
- c.  Specification Sequence Listing on:
  - i.  CD-ROM or CD-R (2 copies); or
  - ii.  Paper (50 Pages)
- d.  Statement verifying identity of above copies

## **ACCOMPANYING APPLICATION PARTS**

9.  Assignment Papers (cover sheet & document(s) (including a check for the \$40.00 fee)  
10.  37 CFR 3.73(b) Statement (*when there is an assignee*);  Power of Attorney  
11.  English Translation Document (*if applicable*)  
12.  Information Disclosure Statement (IDS)/PTO-1449; 6 Copies of IDS Citations  
13.  Preliminary Amendment  
14.  Return Receipt Postcard (MPEP 503) (*Should be specifically itemized*)  
15.  Certified Copy of Priority Document(s) (*if foreign priority is claimed*)  
 Foreign Priority is claimed as Application No. , filed  
16.  Nonpublication Request under 35 U.S.C. 122(b)(2)(B)(i).  
Applicant **must** attach form PTO/SB35 or its equivalent.  
17.  Request for Early Publication Under 37 CFR § 1.219. Fee of \$300.00 is enclosed.  
18. **If a CONTINUING APPLICATION**, *check appropriate box and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:*  
 Continuation     Divisional     Continuation in Part (CIP)  
of prior Application No.: : Filed

Prior Application Information: Examiner \_\_\_\_\_ Group/Art Unit: \_\_\_\_\_

For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

**19. CORRESPONDENCE ADDRESS**      **CUSTOMER NUMBER 00826**

Signature:

Kathryn L. Constan

Agent of Record: Kathryn L. Coulter  
Agent Registration No. 45,889

**Alston & Bird LLP**  
Bank of America Plaza  
101 South Tryon Street, Suite 4000  
Charlotte, NC 28280-4000  
Tel Raleigh Office (919) 862-2200  
Fax Raleigh Office (919) 862-2260

**CERTIFICATE OF EXPRESS MAILING**  
"Express Mail" mailing label number EL868637631US  
Date of Deposit January 16, 2002  
I hereby certify that this paper or fee is being deposited with the  
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Nora C Martinez  
Nora C. Martinez